

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ALLISON SLOCUM and GARY SLOCUM	§	
	§	Civil Action No. 4:18-CV-29
v.	§	(Judge Schell/Judge Nowak)
	§	
SEBRING CAPITAL PARTNERS, LP, ET	§	
AL.	§	

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On June 27, 2018, the report of the Magistrate Judge (Dkt. #46) was entered containing proposed findings of fact and recommendation that Defendants Wells Fargo Bank, N.A., America's Servicing Company, a Division of Wells Fargo Bank, N.A., U.S. Bank, N.A., DLJ Mortgage Capital, Inc., Mortgage Electronic Registration Systems, Inc., Credit Suisse First Boston Mortgage Securities Corporation (collectively, the "Moving Defendants") Motion to Dismiss (Dkt. #26) be granted and that Plaintiff's Allison Slocum and Gary Slocum ("Plaintiffs") Motion to Vacate Foreclosure Sale (Dkt. #33) be denied.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Plaintiffs' Motion to Vacate Foreclosure (Dkt. #33) is **DENIED**.

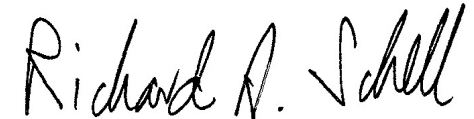
It is further **ORDERED** that the Moving Defendants' Motion to Dismiss (Dkt. #26) is **GRANTED** and Plaintiffs' claims against Defendants are **DISMISSED WITH PREJUDICE**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this the 17th day of July, 2018.**

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE